

# EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION

CIVIL ACTION FILE NO.: 1:19-CV-

BANILLA GAMES, INC. and )  
GROVER GAMING, INC., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
TNT AMUSEMENTS, LLC, )  
 )  
Defendant. )

**DECLARATION OF JOSHUA ASKEW**

Joshua Askew deposes and says:

1. I am over 18 years of age, I am not subject to any disability, and I am fully able to make the statements set forth in this Declaration.
2. The statements contained in this Declaration are made of my own volition and are true of my own personal knowledge.
3. I have been a customer of Banilla Games, Inc. ("Banilla") and Grover Gaming, Inc. ("Grover") for a number of years.
4. Over the course of these years, I have come to know Banilla and Grover as providers of high quality and reliable gaming options.
5. I have come to expect exceptional customer service from Banilla and Grover, and they are known in the gaming community as developers of games that end users enjoy using.

*Jo*

6. In early 2019, I came across pirated or hacked versions of the Fusion Package being offered by TNT Amusements, LLC ("TNT").

7. I was approached by representatives from TNT and asked if I wanted to purchase a "copy" of Grover's Fusion Package from TNT.

8. I was told by the TNT representatives that the "copy" was actually a hacked Fusion Package.

9. Shortly thereafter, I visited TNT's headquarters in Burlington, North Carolina.

10. While there, I recorded a conversation with TNT employees while they tried to sell me a "copy" of the Fusion Package.


11. The TNT representative told me that TNT would sell three or more of the "copies" for \$5,000 per copy.

12. The TNT representative told me that I should not pay \$4,900 for a game board and \$9,300 for the whole Fusion set up from Banilla.

13. I purchased three of the "copies" of the Fusion Packages and presented them to Grover so that Grover could confirm TNT had hacked its games.

I hereby declare, under penalty of perjury, that the foregoing is true and correct.

This the 5<sup>TH</sup> day of November, 2019.

  
\_\_\_\_\_  
Joshua Askew